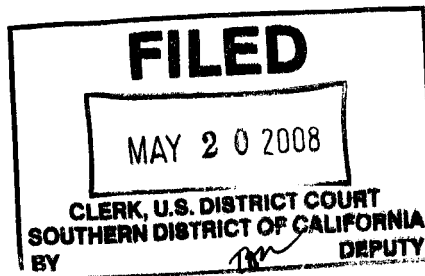


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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Oswaldo VERA-Jimenez,

Defendant.

Mag. Case No.

'08 MJ 8451

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section 1326
Attempted Entry After Deportation

The undersigned complainant being duly sworn states:

On or about May 19, 2008, within the Southern District of California, defendant Oswaldo VERA-Jimenez, an alien, knowingly and intentionally attempted to enter the United States of America with the purpose, i.e. conscious desire, to enter the United States without the express consent of the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, after having been previously excluded, deported or removed from the United States to Mexico, and not having obtained said express consent to reapply for admission thereto; and committed an overt act, to wit, crossing the border from Mexico into the United States, that was a substantial step towards committing the offense, all in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

Senior Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 20th DAY OF MAY 2008.

PETER C. LEWIS
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Osvaldo VERA-Jimenez

4 STATEMENT OF FACTS

5 The complainant states this complaint is based upon the statements of the investigating
6 Border Patrol Agent D. Chavez, that the Defendant, Osvaldo VERA-Jimenez, was found and
7 arrested on or about May 19, 2008, approximately three and a half (3.5) miles east of the
8 Calexico west Port of Entry in Calexico, California.

9 The Calexico California Border Patrol Stations Remote Video Surveillance System
10 Operator observed an individual make an illegal entry into the United States by climbing the
11 International Boundary Fence with Mexico. The RVSS Operator notified agents in the area. With
12 the assistance of the RVSS Operator, Agent S. Villareal encountered the illegal entrant, later
13 identified as Osvaldo VERA-Jimenez. Agent Villareal identified himself and questioned VERA.
14 It was determined VERA is a citizen of Mexico illegally in the United States. VERA was
15 arrested and transported to the Calexico Border Patrol Station for processing.

16 Records checks revealed VERA has been previously deported on November 17, 1995.
17 Further record checks of VERA revealed he has an extensive and serious criminal history.

18 There is no evidence that the defendant received permission from the Attorney General of
19 the United States or the Secretary of the Department of Homeland Security to re-enter the United
20 States.
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